



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Thomas Edward Hughes

APPLICATION NO: 10/589,690

FILED: February 18, 2005

FOR: DPP-IV INHIBITORS FOR TREATING NEURODEGENERATION
AND COGNITIVE DISORDERS

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO COMPLY WITH
REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Sir:

This paper is submitted in response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, dated March 20, 2008.

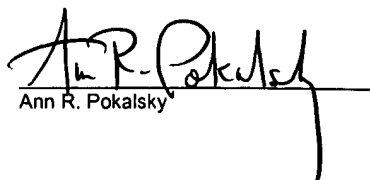
In the Notice, Applicants are requested under 37 C.F.R. §1.821(c) to submit a paper and computer readable form of a Sequence Listing, as well as an amendment directing entry of same, into the above-identified application.

Applicants respectfully submit that this application does **not** require a Sequence Listing and therefore the Notice was sent in error.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 19, 2008.

Dated: September 19, 2008


Ann R. Pokalsky

37 C.F.R. §1.821(a) states that nucleotide and/or amino acid sequences as used in §§1.821 through 1.825 are interpreted to mean an unbranched sequence of four or more amino acids or an unbranched sequence of ten or more nucleotides. Sequences with fewer than four specifically defined nucleotides or amino acids are specifically excluded from section §1.821(a).

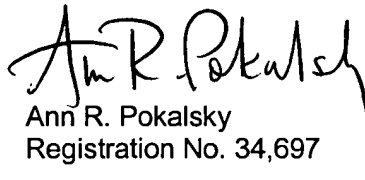
Applicants have reviewed the specification of the above-identified application and could not locate an unbranched sequence of four or more amino acids or an unbranched sequence of ten or more nucleotides.

Therefore, Applicants believe that the above-identified application does not require a sequence listing.

Since the Notice appears to have been sent in error, it is believed that no fee, including extension of time fees, should be incurred as a result of this response. However, please charge any deficiency or credit any overpayment of such fees to deposit account 04-1121. Also in the event that any extensions of time are required for this response, please treat this paper as a petition to extend the time as required and charge deposit account no. 04-1121 therefore. **TWO COPIES OF THIS SHEET ARE ENCLOSED.**

DILWORTH & BARRESE
333 Earle Ovington Blvd.
Attorney for Applicants
Uniondale, NY 11553
(516) 228-8484

Respectfully submitted,


Ann R. Pokalsky
Registration No. 34,697



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Thomas Edward Hughes

APPLICATION NO: 10/589,690

FILED: February 18, 2005

FOR: DPP-IV INHIBITORS FOR TREATING NEURODEGENERATION
AND COGNITIVE DISORDERS

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO COMPLY WITH
REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Sir:

This paper is submitted in response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, dated March 20, 2008.

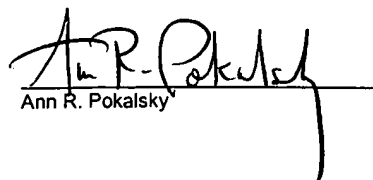
In the Notice, Applicants are requested under 37 C.F.R. §1.821(c) to submit a paper and computer readable form of a Sequence Listing, as well as an amendment directing entry of same, into the above-identified application.

Applicants respectfully submit that this application does **not** require a Sequence Listing and therefore the Notice was sent in error.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 19, 2008.

Dated: September 19, 2008


Ann R. Pokalsky

37 C.F.R. §1.821(a) states that nucleotide and/or amino acid sequences as used in §§1.821 through 1.825 are interpreted to mean an unbranched sequence of four or more amino acids or an unbranched sequence of ten or more nucleotides. Sequences with fewer than four specifically defined nucleotides or amino acids are specifically excluded from section §1.821(a).

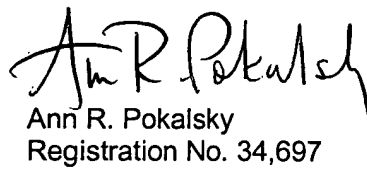
Applicants have reviewed the specification of the above-identified application and could not locate an unbranched sequence of four or more amino acids or an unbranched sequence of ten or more nucleotides.

Therefore, Applicants believe that the above-identified application does not require a sequence listing.

Since the Notice appears to have been sent in error, it is believed that no fee, including extension of time fees, should be incurred as a result of this response. However, please charge any deficiency or credit any overpayment of such fees to deposit account 04-1121. Also in the event that any extensions of time are required for this response, please treat this paper as a petition to extend the time as required and charge deposit account no. 04-1121 therefore. **TWO COPIES OF THIS SHEET ARE ENCLOSED.**

DILWORTH & BARRESE
333 Earle Ovington Blvd.
Attorney for Applicants
Uniondale, NY 11553
(516) 228-8484

Respectfully submitted,


Ann R. Pokalsky
Registration No. 34,697



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
-----------------------------	-----------------------	------------------

10/589,690

Thomas Edward Hughes

33662

1095

NOVARTIS

CORPORATE INTELLECTUAL PROPERTY

ONE HEALTH PLAZA 104/3

EAST HANOVER, NJ 07936-1080

INTERNATIONAL APPLICATION NO.

PCT/EP2005/001729

I.A. FILING DATE

02/18/2005

PRIORITY DATE

02/20/2004

CONFIRMATION NO. 9906

371 FORMALITIES LETTER



Date Mailed: 03/20/2008

NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c). Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

TAMALA D HOLLAND

Telephone: (703) 308-9140 EXT 209